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BREANA JOHNSON
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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

10 BREANA JOHNSON,

11 Plaintiff,

12 vs.

13 SEARS HOMETOWN AND OUTLET STORES,
14 INC.; SEARS AUTHORIZED HOMETOWN
15 STORES, LLC; and SEARS OUTLET STORES,
LLC,

16 Defendants.

Case No.: 3:15-CV-04026-JST

STIPULATION AND ~~{PROPOSED}~~ ORDER TO
ARBITRATE CLAIM AND STAY
PROCEEDINGS

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18 Plaintiff BREANA JOHNSON ("Plaintiff") and Defendants SEARS HOMETOWN AND
19 OUTLET STORES, INC., SEARS AUTHORIZED HOMETOWN STORES, LLC, and SEARS
20 OUTLET STORES, LLC ("Defendants") (collectively "the Parties"), by and through their
21 attorneys of record, stipulate as follows:

22 WHEREAS Defendants have filed a Motion to Compel Arbitration and Dismiss or Stay
23 Action;

24 WHEREAS the Parties have agreed that it would be most efficient to resolve the claims
25 alleged in Plaintiff's First Amended Complaint through binding arbitration, pursuant to the terms
26 of the Parties' Arbitration Agreement, a copy of which is attached as Exhibit 1;

27 WHEREAS the Parties have agreed that the present action should be stayed pending

28 STIPULATION AND ~~{PROPOSED}~~ ORDER TO ARBITRATE CLAIM AND STAY PROCEEDINGS


the outcome of the arbitration;

WHEREAS Defendants have agreed to pay the full arbitration fee to be incurred in pursuing these claims by means of arbitration;


WHEREAS the Parties have agreed that all of the claims alleged by Plaintiff against Defendants in Plaintiff's First Amended Complaint will be dismissed with prejudice after the arbitration process has been completed.

IT IS NOW HEREBY STIPULATED AND AGREED that: The Parties will resolve the claims raised by Plaintiff in the present proceeding by means of binding arbitration, with Defendants to pay the full arbitration fee. The above-captioned action will be stayed pending completion of the arbitration process.

Dated: Nov. 2, 2015

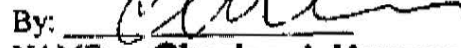

PLAINTIFF: BREANA JOHNSON

Dated: _____, 2015


ARTHUR W. LAZEAR
MORGAN M. MACK
LAZEAR MACK
Attorneys for Plaintiff

Dated: _____, 2015

DEFENDANTS SEARS HOMETOWN
AND OUTLET STORES, INC., SEARS
AUTHORIZED HOMETOWN STORES,
LLC, and SEARS OUTLET STORES, LLC.

By: 
NAME: Charles J. Hansen
TITLE: Vice President

STIPULATION AND [PROPOSED] ORDER TO ARBITRATE CLAIM AND STAY PROCEEDINGS

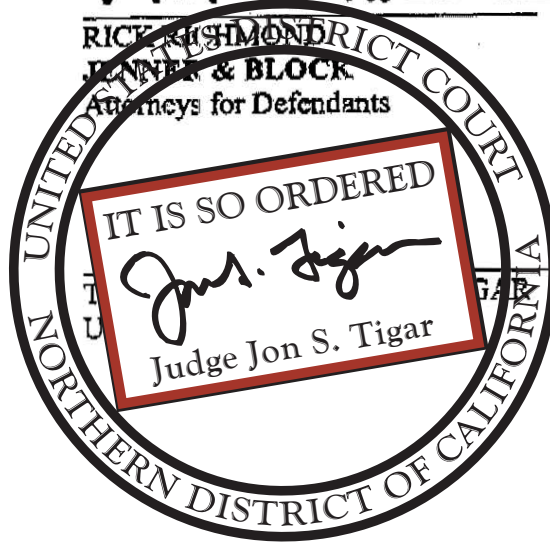
1 Dated: _____, 2015

Mark Miller

RICK RICHMOND
PENNER & BLOCK
Attorneys for Defendants

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4 IT IS SO ORDERED.

5 Dated: November 5, 2015



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28 STIPULATION AND ~~(PROPOSED)~~ ORDER TO ARBITRATE CLAIM AND STAY PROCEEDINGS